

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.2030 of 2006

Date of Decision. March 1,2007.

Harbans Singh

.....Petitioner

Versus

Ram Singh and others

.....Respondent

PRESENT

Mr. Tribhawan Singla, Advocate
for the petitioner.

Mr. Suresh Goel, Advocate
for respondents 1 to 3 .

CORAM

HON'BLE MR. JUSTICE VINEY MITTAL

VINEY MITTAL, J (Oral)

Defendant no.2 is the petitioner before this Court . He is aggrieved against the orders passed by the Appellate Court whereby on an appeal filed by the plaintiff, an application under Order 39 rules 1 and 2 of the Code of Civil Procedure has been allowed and the defendant / respondents have been restrained not to alienate the suit property in any manner during the pendency of the suit.

After hearing the learned counsel for the parties, I find that a judicial discretion has been exercised by the Appellate Court in the facts and circumstances of the case, which is not shown to be erroneous in any manner.

Consequently, I find no merit in the present petition and the same is hereby dismissed.

March 1 , 2007

mamta

**(VINEY MITTAL)
JUDGE**